

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 2-7 and 32-37 are pending in this application. Claims 2, 4, 6, 32, 34 and 36, which are independent, are hereby amended. Claims 1, 8-31, and 38-53 have been canceled without prejudice or disclaimer of subject matter. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not statements with respect patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112 beyond the remarks herein. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

### **II. SUPPORT IN THE SPECIFICATION**

Support for this amendment is provided at paragraph [0007], which is reproduced below:

[0007] In view of the above, it is an object of the present invention to provide a technique of **presenting an image and corresponding motion in response to a request issued by an user**, in which an image supplied by an audience is transmitted to another apparatus via a network, motion data is generated by that apparatus, and the resultant motion data is presented to the user. It is another object of the present invention to provide a technique of presenting an image and corresponding motion in

response to a request issued by an user, in which an image supplied by an audience is transmitted to another apparatus via a network, motion data is generated by that apparatus, and the resultant motion data is presented not only to the user who has issued the request for generation of the motion data but also to other users.

## II. REJECTIONS UNDER 35 U.S.C. §102(e) and 35 U.S.C. §103(a)

Claims 2, 4, 6, 32, 34, and 36 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,031,384 to Kondo, et al. (hereinafter, merely “Kondo”).

Claims 3, 5, 7, 33, 35, and 37 were rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,031,384 to Kondo, et al. (hereinafter, merely “Kondo”) in view of U.S. Patent No. 6,119,109 to Muratani, et al. (hereinafter, merely “Muratani”).

## III. RESPONSE TO REJECTIONS

Claim 2, recites, *inter alia*:

**...a receiving unit for receiving a request from a user;**

an information processing apparatus; and

a motion control apparatus...

**...wherein the image data and motion data are output  
in response to the request from the user.**

As understood by Applicants Kondo does not disclose a receiving unit for receiving a request from a user and wherein the image data and motion data are output in response to the request from the user.

Therefore, claim 2 is patentable.

For reasons similar to those described above, independent claims 4, 6, 32, 34, and 36 are also patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### **CONCLUSION**

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any  
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By 

Thomas F. Presson  
Reg. No. 41,442  
Russell P. Blaise  
Reg. No 66,567  
(212) 588-0800